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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Pierre Cornilleau

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YOUNG & THOMPSON

209 Madison Street

Suite 500

ALEXANDRIA, VA 22314

EXAMINER

ING, MATTHEW W

ART UNIT

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3637

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/790,778	<b>Applicant(s)</b> CORNILLEAU, PIERRE	
	<b>Examiner</b> MATTHEW W. ING	<b>Art Unit</b> 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 29-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 29-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 29-37 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. These claims are replete with indefinite language, of which the following citations are merely a representative sample.
3. Regarding claim 29, the term "said folded locked state" in line 14 lacks antecedent basis in the claim. It is noted that replacement of this term with the phrase "folding table tennis table" would receive favorable consideration.
4. Claim 29 fails to recite sufficient structural elements and interconnection of the elements to positively position and define the structure & component(s) of the "abutment means" so that an integral structure able to function as claimed is recited. It is noted that rewriting claim 29 to include the limitations of claim 30, and including the following clarifying phrases:
  - in line 8, inserting --and said bolt is slidably engaged in said corresponding guiding slideway-- after the word "support,"
  - in line 8, inserting a comma after the word "recess", and --within said corresponding guiding slideway at an end thereof-- has been inserted between the words "recess," and "facing"
  - in line 26, replacing the period after the word "bolt" with a comma, and inserting --said secondary recess being positioned within said corresponding guiding slideway at an end thereof.-- after the word "bolt,"

would be viewed with favorable consideration.

5. The term "close to" in claim 29 is a relative term which renders the claim indefinite. The term "close to" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. It is noted that replacement of this term with a phrase utilizing "about", "nearly", or "approximately" would be viewed with favorable consideration.

6. The term "corresponding" in claim 29 is a relative term which renders the claim indefinite. The term "corresponding" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. It is noted that deletion of the phrase "a configuration corresponding to at least" in lines 11-12 would receive favorable consideration.

7. Regarding claim 30, the term "its" in line 2 lacks antecedent basis in the claim.

8. Regarding claim 30, the term "the above-mentioned locking means" in line 5 lacks antecedent basis in the claim. It is noted that replacement of this term with the phrase "retractable locking means" would receive favorable consideration.

9. The term "generally" in Claim 30 is a relative term which renders the claim indefinite. The term "generally" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

10. Regarding claim 31, the term "the other catch" in line 5 lacks antecedent basis in the claim.

11. Regarding claim 31, the term "its other state" in line 3 lacks antecedent basis in the claim.

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12. Regarding claim 33, the term “them” in line 3 lacks antecedent basis in the claim.
13. Regarding claim 33, the term “their resilient return means” in line 3 lacks antecedent basis in the claim.
14. Regarding claim 33, the term “said means” in line 3 lacks antecedent basis in the claim.
15. Regarding claim 33, the term “the table top” in line 5 lacks antecedent basis in the claim.
16. The term "to the vicinity of" in Claim 24 is a relative term which renders the claim indefinite. The term "to the vicinity of" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.
17. Regarding claim 34, the term “the table top” in line 5 lacks antecedent basis in the claim.
18. Regarding claim 35, the term “the above-mentioned racks” in lines 2-3 lacks antecedent basis in the claim.
19. Regarding claim 35, the term “the racks” in line 4 lacks antecedent basis in the claim.
20. Regarding claim 36, the term “it” in line 2 lacks antecedent basis in the claim.
21. Regarding claim 37, the term “the push rod” in line 2 lacks antecedent basis in the claim.
22. Claim 32 is considered indefinite since it depends from an indefinite base claim.

***Claim Rejections - 35 USC § 102***

23. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

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24. Claim 29 is rejected under 35 U.S.C. 102(b) as being anticipated by Kettler (WO03/026461). Kettler teaches a folding table tennis table comprising a rigid support (6), two table tops (1) that are movable relative to said support between a horizontal position and a vertical position, each table top co-operating with the support to form a structure of configuration that is reversibly foldable (see Figures 1 & 4) between an unfolded state corresponding to the horizontal position of the table top and a folded state corresponding to the vertical position of the table top, which structure includes retractable locking means (16) to lock said structure in at least said folded state, wherein the foldable structure includes abutment means (22) arranged to engage when configuration of the structure comes close (i.e., when Items 12 & 22 are touching) to a configuration corresponding to at least said folded locked state (i.e., after Item 12 has slid out of contact with Item 22, as shown in Figures 4 & 5), thereby opposing reversibility in said configuration. The examiner submits that since Item 16 is capable of locking the structure in a folded state (see Figure 4), and since Item 22 is capable of engaging the table tops "when configuration of the structure comes close to a configuration corresponding to at least said folded locked state" and, when so engaged, oppos[es] reversibility in said configuration", Items 16 & 22 can therefore be termed "retractable locking means" and "abutment means", respectively.

***Allowable Subject Matter***

25. Claims 30-37 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

26. Applicant's arguments with respect to the 35 U.S.C. 102(b) rejection of claim 20 have been considered but are moot in view of the new grounds of rejection and the applicant's cancellation of said claim.

***Conclusion***

27. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MATTHEW W. ING whose telephone number is (571)272-6536. The examiner can normally be reached on Monday through Friday, 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MWI  
25 February 2008

/José V. Chen/

Primary Examiner, Art Unit 3637